

**UTAH RESIDENTIAL MORTGAGE
REGULATORY COMMISSION MEETING**

Heber M. Wells Building
Room 210
9:00 a.m.
December 6, 2017
TELEPHONE MEETING

MINUTES

DIVISION MEMBERS PRESENT

Jonathan Stewart, Division Director
Mark Fagergren, Licensing and Education Director
Kadee Wright, Chief Investigator
Allen McNeil, Real Estate Analyst
Elizabeth Harris, Assistant Attorney General
Tiffany Browne, Assistant Attorney General
Amber Nielsen, Board Secretary
Tim Cuthbertson, Investigator
Lark Martinez, Mortgage Education Coordinator
Mike Page, Division Staff
Desha Pages, Division Staff
Faruk Halilovic, Division Staff

COMMISSION MEMBERS PRESENT

George Richards, Chair
Kay Ashton, Vice Chair
Cathy J. Gardner, Commissioner
Steve Hiatt, Commissioner
G. Scott Gibson, Commissioner*

*Joined the call at 9:18 a.m.

The meeting on December 6, 2017 of the Utah Residential Mortgage Regulatory Commission began at approximately 9:02 a.m. with Chair Richards conducting. Commissioner Gibson was absent at the beginning of the meeting.

PLANNING AND ADMINISTRATIVE MATTERS

There was not a quorum on the minutes from the November 4, 2017 meeting. The minutes could not be approved at this time.

Public Comment Period

There were no comments given.

DIVISION REPORTS

Director's Report – Jonathan Stewart

Director Stewart reported the legislative draft has been sent to the Office of Legislative Research. They are currently working on the draft bill. The Division will receive a draft back from them. Once the Division receives the draft back, the Division will show the draft to the Commission. He reported he looked at the other proposed legislation and has not seen anything else regarding mortgage yet.

Enforcement Report – Kadee Wright

Ms. Wright reported in October the Division received 7 complaints; opened 6 cases; closed 1 case; leaving 99 open mortgage cases. The AG's office has 9 cases. Ms. Wright reported in November the Division received 6 complaints; opened 4 cases; closed 6 case; leaving 94 open mortgage cases. The AG's office has 9 cases.

Education/Licensing Report – Mark Fagergren

Mr. Fagergren reported on the renewal statistics. He reported that about 60 percent of those needing to renew have submitted their renewals, which is in line with last year. However more applications have been received at this point this year than were received at this point last year. At this point 84.7% of the renewals requested have been processed. Last year only 62% of those requested renewals had been processed at this point. He mentioned the streamlining of the process, including the NMLS education has really allowed for a faster process. He stated 2631 have not requested renewal this year. Last year 2320 had not requested renewal at this point. Mr. Barney asked if last year the background checks were required, which would account for the slower process. Mr. Fagergren reported background checks were not required last year.

Mr. Fagergren presented some proposed changes to the Lending Manager Experience table. The Division recommends adding a category for licensed non-originator assistants to the equivalent experience category which would only allow up to 15 points over a period of 30 months. The individuals would still need 30 points in originations. He stated the work would be non-concurrent. A motion was made to approve the recommendation and to direct the Division to move forward with that change. Vote: Chair Richards, yes; Vice Chair Ashton, yes; Commissioner Gardner, yes; Commissioner Hiatt, yes. The motion is approved.

COMMISSION AND INDUSTRY ISSUES

Commissioner Gibson had asked to add a discussion of the cooling off period for Reverse Mortgage Loans to the agenda. Commissioner Gibson was not present so this discussion item was to be tabled. Commissioner Gibson joined the phone conversation. Commissioner Gibson asked why there is a seven day cooling off requirement and if we could change that. Mr. McNeil stated it is a requirement in statute and not rule and therefore would have to have a legislative change. Director Stewart mentioned that legislation was introduced by Senator Harper in 2015 and

he was not involved with the bill. He stated he would contact Senator Harper and discuss this with him.

Mr. Barney reported he has no rules update for the Commission today. However, he will work on the rule proposal for the Lending Manager Experience and provide that language next week.

As a quorum was now available the minutes were reconsidered. A motion was made and seconded to approve the November 4, 2017 minutes as written. Vote: Vice Chair Ashton, yes; Commissioner Gardner, yes; Commissioner Gibson, yes. The motion is approved.

A motion was made to adjourn the meeting. Vote: Chair Richards, yes; Vice Chair Ashton, yes; Commissioner Gardner, yes; Commissioner Hiatt, yes; Commissioner Gibson, yes. The motion is approved. The meeting adjourned at 9:25 a.m.